



3-16-05

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DOCUMENT NO.: ISIS-5326

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In Re Application of:**

**Brenda F. Baker, et al.**

**Confirmation No.: 5950**

**Application No.: 10/700,930**

**Group Art Unit: 1645**

**Filing Date: November 4, 2003**

**Examiner: Not Yet Assigned**

**For: MODIFIED OLIGONUCLEOTIDES FOR USE IN RNA INTERFERENCE**

**EXPRESS MAIL LABEL NO: EV325727631US**

**DATE OF DEPOSIT: March 14, 2005**

**EV325727631US**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☒ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or

before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- ☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.116 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

- ☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

- ☒ Copies of reference numbers **249 and 250** listed on the attached Form PTO-1449 are enclosed herewith.

- ☒ Copies of reference numbers **251 and 252** on the attached Form PTO 1449 are not required to be submitted pursuant to waiver of 37 CFR § 1.98(a)(2)(i).

- ☐ Copies of references - are not being submitted because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application number , filed for which a claim for priority under 35 U.S.C. § 120 has been made in the instant application.

- ☐ The relevance of those listed references which are not in the English language is as follows:

**DOCKET NO.: ISIS-5326**

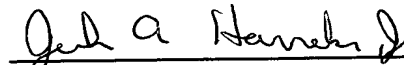
**- 3 -**

**PATENT**

There are no listed references which are not in the English language.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

Date: March 14, 2005

  
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John A. Harrelson, Jr.  
Registration No. 42,637

WOODCOCK WASHBURN LLP  
One Liberty Place - 46th Floor  
Philadelphia, PA 19103  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439

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<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office		Docket No. ISIS-5326	Application No. 10/700,930
		Applicant Brenda F. Baker, et al.	
		Filing Date November 4, 2003	Group 1645
		Confirmation No. 5950	
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
*	249	Rajwanshi, V.K., et al., "LNA stereoisomers: <i>xylo</i> -LNA ( $\beta$ -D- <i>xylo</i> configured locked nucleic acid) and $\alpha$ -L-ribo configured locked nucleic acid)," <i>Chem. Commun.</i> , <b>1999</b> , 1395-1396	
*	250	Steffens, R., et al., "Synthesis and thermodynamic and biophysical properties of tricycle-DNA," <i>Am. Chem. Soc.</i> , <b>1999</b> , <i>121(14)</i> , 3249-3255	
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>	

\* Cited on PCT Written Opinion dated January 28, 2005 (PCT/US03/35072); PCT International Search Report dated February 16, 2005 (PCT/US03/35141); PCT International Search Report dated February 18, 2005 (PCT/US03/35064).

<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office	Docket No. ISIS-5326	Application No. 10/700,930
	Applicant Brenda F. Baker, et al.	
	Filing Date November 4, 2003	Group 1645
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### U. S. PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Name	Class	Subclass
*	251	6,436,640 B1	08/20/02	Simmons, et al.	435	6
*	252	2002/0068708 A1	06/06/02	Wengel, et al.	514	44

### FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO

**EXAMINER****DATE CONSIDERED**

\* Cited on PCT Written Opinion dated January 28, 2005 (PCT/US03/35072); PCT International Search Report dated February 16, 2005 (PCT/US03/35141); PCT International Search Report dated February 18, 2005 (PCT/US03/35064).